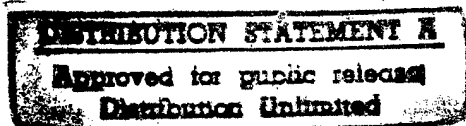


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JPRS 82618

11 January 1983



# Worldwide Report

LAW OF THE SEA

No. 216

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Beginning with this issue, material on Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka will be listed under NEAR EAST/SOUTH ASIA in the table of contents.

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11 January 1983

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## LAW OF THE SEA

No. 216

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USSR, NORWAY AGREE ON FISHING QUOTAS FOR 1983

PM251115 Oslo AFTENPOSTEN in Norwegian 20 Nov 82 p 11

[Kjell Dragnes report: "Norway Wins Largest Fishing Quota"]

[Text] Norway was able to push through all its views in the talks on next year's Barents and Norwegian Sea fishing quotas and got the lion's share of the cod, capelin and haddock quotas allocated. At the same time the Soviet Union has been granted access to fish all its cod quota in the Norwegian economic zone.

The main question, which had still not been clearly answered by Soviet negotiating leader Vyacheslav Silanov on Friday [19 November] is whether Soviet fishing vessels will respect Norway's unilateral increase in net mesh size to 135 mm in the Spitsbergen fisheries protection zone. The size increase will come into force for the whole Norwegian zone 1 January, but the Soviet Union expressed reservations about the protection zone in 1977. The cod quota will be the same as this year -- 340,000 tons -- the maximum recommended by marine researchers in order to maintain stocks of spawning fish. The Soviet Union had originally wanted a total quota of only 122,000 tons. The agreed on quota is to be split down the middle, but after the Soviets have transferred some of their quota to Norwegian fishermen, they may now fish 225,000 tons, around two-thirds of the total.

During the talks, the Soviet delegation was strongly critical of Norwegian overfishing using passive tackle, and it is clear that next year stricter statutory measures will be brought into operation. However, because it is difficult to regulate coastal fishing, Norway was unable to promise that no more cod than the quota would be caught. Both Silanov and his counterpart, Administrative Chief Gunnar Gundersen, said that they were satisfied with the agreement, as did Norwegian Fishermen's Federation Chairman Johan J. Toft. The agreement will also be of importance for next year's fisheries state support grant which will probably total less because Norway won a larger share of the total quota than the Norwegian Fishermen's Federation had expected.

The total capelin quota was increased from 1.7 million tons in 1982 to 2.3 million next year, divided 60 percent to Norway and 40 to the Soviet Union. Transfer of part of the Soviet quota will give Norway in all 65 percent of the total quota. Of this, 1.1 million tons can be fished this winter, the rest in the summer. Norway has won 71 percent of the haddock quota of 77,000 tons which with transfers amounts to 55,000 tons. Both countries are agreed that it is necessary that fish stocks in the Barents Sea -- which as far as some species are concerned have fallen dangerously low -- be controlled and regulated. What the Soviet Union has gained in return, is blue whiting -- a total of 485,000 tons, of which 285,000 tons can be fished around Jan Mayen and the rest in the Norwegian zone. The Russians will also be allowed to fish 70,000 tons of Norway haddock in the Norwegian zone and 5,500 tons of Greenland halibut of a total quota of 130,000 tons in the Norwegian zone.



USSR, FINLAND SIGN FISHING QUOTAS AGREEMENT

Helsinki HELSINGIN SANOMAT in Finnish 11 Dec 82 p 32

[Text] Finland and the Soviet Union have revised the agreement involving reciprocal fishing engaged in in the fishing zones of the two countries. During negotiations entered into in Tallinn from the end of November through early December, it was agreed that the Finns may take 50 tons of salmon out of the Soviet zone next year and the Soviets 4,600 tons of Baltic herring out of the Finnish zone.

Heikki Pitkanen, the assistant department head of the Agriculture and Forestry Ministry, who led the Finnish delegation, said that two quite different kinds of fishing are dealt with in the agreement. "The Finns are interested only in salmon and the Soviets in Baltic herring and sprats caught along with them.

"The corresponding amounts for this year are 35 tons of salmon and 3,600 tons of Baltic herring as well as 900 tons of sprats, so that this promises a slight rise for next year," Pitkanen noted.

The Finns may use 15 boats in their fishing operations and the Soviets all told 32 trawlers with their auxiliary craft. In taking fish, Finnish fishermen will themselves be responsible for observing the limits set on salmon. As for the Soviets, they may take Baltic herring from the beginning of January to the end of April and again from the beginning of September to the end of the year.

The Soviets will fish in the Finnish zone west of Hanko 12 nautical miles outside the border and the Finns, on the other hand, in the Soviet Union's Baltic fishing zone. The agreement does not pertain to the Gulf of Finland.

"The Finns have already caught their full quota of salmon for this year and the Soviets' share of the agreed-on amount is also now beginning to be accounted for," Pitkanen said.

11,466  
CSO: 5200/2509

BRIEFS

LAW OF SEA TREATY--['Exclusive' report by U.S. correspondent Yosef Pri'el]--  
 Washington--Israel refrained on Friday from signing ceremoniously in Jamaica  
 by 17 countries. The treaty sets new rules for passage in seas and straits,  
 and following its approval by more than 160 countries it became, in fact, an  
 international law on Friday. The law will have ramifications even for coun-  
 tries that did not join the treaty, including Israel. The approving of the  
 treaty at the close of the maritime law convention is a victory for the Third  
 World countries which imposed new arrangements on the superpowers in the seas.  
 Apart from Israel, there were 23 other countries which did not sign the treaty,  
 among them the United States, Britain, West Germany, Japan and Jordan. Ac-  
 cording to the new treaty, the territorial water limit was set at 12 miles  
 off shore from each country, and 200 miles from shore is recognized as the  
 limit of the economic exploitation area exclusive to the country involved.  
 One hundred straits in the world were designated as nonterritorial waters  
 and passage through them is free and assured to all countries. Every coun-  
 try in the world, including those not touching the sea, will get a share of  
 the income arising from the exploitation of the deep sea riches. [Text]  
 [TA121125 Tel Aviv DAVAR in Hebrew 12 Dec 82 p 1]

CSO: 4400/126

AUSTRALIA

AUSTRALIA, NEW ZEALAND TO SIGN SEA LAW PACT

BK090915 Melbourne Overseas Service in English 0800 GMT 9 Dec 82

[Text] Australia and New Zealand have said that they will sign the United Nations Law of the Sea Convention. Their decisions were announced at a 5-day conference on the treaty at Montego Bay in Jamaica.

A signing ceremony is to be held on the final day of the meeting tomorrow, but a number of developed countries -- including the United States, Britain and West Germany -- have said they will not sign, at least for the time being. They have objected to provisions on seabed mining which America has said are weighted against private enterprise.

Australia's chief Law of the Sea negotiator, Keith Brennan, said the great majority of countries now recognize the resources of the seabed beyond national jurisdiction as the common heritage of mankind.

CSO: 5200/4309

MOKHTAR DISCUSSES LOS TREATY IN JAMAICA

BK071121 Jakarta OANA in English 0958 GMT 7 Dec 82

[Text] Montego Bay, Jamaica, 6 Dec (ANTARA/OANA)--"The Indonesian Government believes that after 9 years of deliberation the Law of the Sea Conference has achieved a monumental task in formulating the present text of the Law of the Sea Convention, declared Foreign Minister Mokhtar Kusumaatmaja in his speech before the United Nations Law of the Sea Conference at Montego Bay (Jamaica) Monday afternoon.

According to him, Indonesia holds the view that the present text of the Law of the Sea Convention contains three major elements: Firstly, it simply codifies the existing Law of the Sea which has grown either through customary or conventional laws. Many of the provisions dealing with high seas could be put into this category. For this reason, the provisions of the Law of the Sea Convention on this matter could be applicable to non-participant states by virtue of the fact that they essentially are a part of the existing international law.

Secondly, there are provisions that clarify and redefine rules on matters that are the results of political, scientific and technological development. These include provisions relating to archipelagic states, exclusive economic zones, continental shelves, pollution control, etc.

While the provisions in the Law of the Sea convention dealing with these matters are gaining universal acceptance, it could not be asserted that non-parties to the convention could take benefit of them without being a party to the convention. It should be remembered that the world community before the convention should be a comprehensive one [phrase as received], covering all issues in a grand package. The acceptance of compromises in the text of the convention is, therefore, predicated upon the assumption that it will in the end be accepted and adhered to by all in its entirety, Mokhtar declared.

He went on: "It would therefore be difficult to agree to a premise that a state could gain benefit from a provision of the convention that is beneficial to that particular state without being a party to the convention as a whole.

Thirdly, there are the provisions in the convention which are completely and totally new in international law and without any precedent in state practice. The provisions of the convention dealing with deep seabed mining fall under this category and should be the only valid law applicable to these matters.

The Indonesian foreign minister reminded that the world community had agreed since 1970 that the exploration of deep seabed resources beyond the limits of national jurisdiction could only be undertaken under an international regime yet to be established.

Thus, he added, there had never been any regime yet in international law dealing with deep seabed mining.

"Moreover, the world community also declared on a number of occasions the illegality of unilateral national legislation on the deep seabed mining and has declared reciprocal arrangements, the so-called mini-treaty among the few likeminded industrial countries, to be illegal and unacceptable. It is, therefore, the conviction of my (the Indonesian) government that the exploration and exploitation of deep seabed resources can only be legally undertaken under the regime established by this convention," he said.

Mokhtar Kusumaatmaja further stated that one of the major remaining problems was the effect that the Law of the Sea Convention would have on non-signatories to the convention.

He stated: "It is the sincere wish of the Indonesian Government that all states should become parties to this convention so that this question would not arise. We believe that the present text is the maximum that could be achieved by the world community since each and everyone of us compromised to achieve a universally acceptable convention.

"We believe that on the whole, this convention is far better than nonconvention at all or staying out of the convention."

He stressed that the Indonesian Government believed that this convention would contribute towards world peace, towards the promotion of cooperation among states and towards the orderly and rational use of the ocean space.

The present third UN Law of the Sea Conference started today and will last till 10 December and will be closed with a ceremony of signing of the convention by the representatives of about 80 participant states, including Indonesia.

The Indonesian delegation to the conference comprises Foreign Minister Mokhtar Kusumaatmaja (chairman), Dr Hasym Jalal (vice-chairman), of the Indonesian permanent representation in the UN; Vice Admiral Sahono Subroto of defence dept; Arman Bustaman of Mining Department; D.G. Napitupulu of Justice Dept; Lt Col Adi Sumardiman of Defence Dept; Col Andiriati Gunadi of Defence Dept; S. Zudhy Pane of Pertamina Oil Company; Nugroho Wisnumurti of UN Geneva [office]; Sugarda Wisaksono of the foreign office; Ismail Albanjar of ANTARA NEWS AGENCY; and Haji Abdullah Kamil, expert staff of the foreign minister.

CSO: 5200/4311

MOKHTAR RETURNS, COMMENTS ON SEA LAW CONVENTION

BK160831 Jakarta OANA in English 0736 GMT 16 Dec 82

[Text] Jakarta, 16 Dec (ANTARA/OANA)--Foreign Minister Mokhtar Kusumaatmaja welcomed with relief and gladness the signing of the Law of the Sea convention by 117 countries in Montego Bay, Jamaica, recently. He commented on the matter at his arrival at Halim Perdanakusumah airport from Jamaica Wednesday night. Indonesia, represented by Mokhtar, was one of the countries signing the convention.

Mokhtar said the total number of countries that decided to sign the treaty last 10 December was beyond original expectation. "It is a good omen for the future of the convention," he commented before reporters who met him at Halim airport.

Indonesia, Mokhtar said, hails the signing of the convention with relief because the countries of the world had worked on it for 14 long years (including the preparatory stage) or about 9 years if calculated from the first international conference on the convention in Caracas in 1974.

The fact that now the convention had been signed means that a number of the sources of international conflicts had been resolved, he added. For example, there should no longer be disputes concerning the 200-mile exclusive economic zone of a country because stipulations on this matter are clearly set down in the convention. The convention also has definite points concerning continental shelves boundaries, marine environment protection and the other uses of the seas, the Indonesian foreign minister said.

Mokhtar said for Indonesia, in particular, the International Law of the Sea convention has a special significance in that it sets down formally a recognition of the "archipelagic state" principle which Indonesia had fought for in international fora for more than 25 years. With this recognition, he explained, the sea territory of Indonesia has increased by more than three million square kilometers in measurement. For instance, Indonesia's exclusive economic zone will from now be measured, starting from the outer limit of the archipelago's water, he said. "So we have reason to be happy about the signing of the convention" he said.

The next problem for Indonesia is how to take full advantage of the new fact, the foreign minister said. To benefit from the recognition of the archipelagic state concept, which the nation had long fought for, Indonesia would need skills, technical capabilities and hard work, he said.

Before going to Jamaica to sign the convention, Foreign Minister Mokhtar Kusumaatmaja had travelled to Austria and New York. In Austria he had had talks on economics, politics and global affairs (such as disarmament) with Austrian Foreign Minister Willy Pahr. Both foreign ministers had taken up the subject of disarmament because it had drawn world attention. In 1981, Mokhtar said, the countries of the world spent U.S. dollar 650 billion for the purchases of various kinds of arms, at a time when the world's economy was in great difficulty. Leaders in the developing countries believe so much money should more wisely be spent for development, he said. In New York, Mokhtar had talks with UN Secretary General Perez de Cuellar on East Timor and Kampuchea.

CSO: 5200/4311

## BRIEFS

SEA LAW CONVENTION SIGNING--Participants of the third UN Conference on the Law of the Sea are signing the international convention on the Law of the Sea in Montego Bay, Jamaica, today, 10 December. The international convention was unanimously approved last 30 April, following 9 years of negotiations. Commenting on the occasion, ANGKATAN BERSENJATA editorially said yesterday [9 December] that the signing of the convention was very significant to Indonesia, because under the convention Indonesia will have more territorial waters along with whatever they may hold. The daily said that with the coming into effect of the International Convention on the Law of the Sea, it will be necessary for the country to renew its maritime law, a legacy of the preindependence era. ANGKATAN BERSENJATA hoped that this task can be done by the government together with the legislative council. Commenting on the same subject, Merdeka regreted the attitude of the United States and a number of industrial countries which are not prepared to sign the convention. The daily urged that we must safeguard the archipelagic concept at all cost, because we must be aware that eventually the principles of the archipelagic concept will be undermined by the U.S. policy which is deplored by mankind. [From the press review] [Text] [BK101154 Jakarta Domestic Service in Indonesian 2300 GMT 9 Dec 82]

SPECIAL UNIT PROTECTS OFFSHORE PROJECTS--The Indonesian naval chief of staff, Admiral Waluyo Sugito, yesterday launched the Indonesian Navy's special force called the Jala Mangkara at a ceremony held on board the (Arindu) oil rig off Ceribon coast. The special force is to safeguard important offshore projects. Admiral Waluyo Sugito said that the formation of the Jala Mangkara special force is a response to the challenges and threats from outside as well as inside the country. As an example, the naval chief of staff said the discovery of oil and gas deposits in the Natuna sea needs control and protection from all kinds of disturbances. At present, there are some 300 important offshore oil drilling installations throughout Indonesian territorial waters. [Text] [BK301407 Jakarta Domestic Service in Indonesian 1200 GMT 30 Nov 82]

CSO: 5200/4311



COMMENTARY VIEWS SEA LAW RATIFICATION PROSPECTS

BK091408 Kuala Lumpur International Service in English 0800 GMT 9 Dec 82

[Unattributed commentary]

[Text] Reportedly the United States has launched a worldwide campaign to prevent the UN Convention on the Law of the Sea from going into effect. The treaty, negotiated over the past 8 years, is scheduled for signing that leads to ratification in Jamaica tomorrow. The U.S. reaction is hardly surprising: It has openly opposed certain provisions governing seabed mining; it is against the setting up of an international undersea mining corporation that would automatically gain exploitation right to half of each site discovered by private consortiums and to which those private companies would have to transfer their mining technology. Also taxes collected from future seabed mining could be distributed to less developed countries and the United States and other major western undersea mining countries would have only one quarter of the votes of the international authority that would set the rules for the operation.

The United States, which has the technology to start mining the seabed with rich mineral resources right away, feels that those provisions are weighted against it. Besides, the reluctance to transfer its technology to countries which do not have the knowhow at the moment and to share with them the financial benefits from its investments, it is also not prepared to face the prospects of being outvoted in the international authority that will be set up under the convention.

On the other hand, the (?casual) signatories to the convention are overwhelmingly in favor of the incorporation of those provisions which they deem essential if their interests are to be protected. They are fearful that without such provisions the United States and other major undersea mining countries may take advantage of their lack of knowhow to exploit the vast potential in mineral resources under the sea. At the same time they see the U.S. position as a violation of the basic concept of the convention that the sea is the common heritage of mankind.

The United States and other similarly inclined countries will not be able to prevent the Law of the Sea Convention from coming into force whether they like it or not. While it still needs 50 nations to sign the document for a commission

to begin drafting the operating regulations which do not go into effect until 1 year after 60 nations have formally ratified it, all indications point to its ratification. At the last meeting of the United Nations in April, 130 countries voted to approve its final draft.

Only the United States and three other countries voted against it. As one diplomat has put it, there are 45 nations in Africa alone and he cannot believe that the remaining 15 cannot be found.

It is inevitable that the United States will fail to prevent the Law of the Sea convention from coming into force, and what may result from this is that the United States may go ahead unilaterally to exploit the riches of the seabed. Already there have been reports that a few countries, namely, Britain, West Germany and Italy, may join the United States under a mini-treaty. Of course, any operation initiated by this group of countries, whether unilaterally or multilaterally, will be illegal while the convention is ratified. While [words indistinct] with it because enforcement will be difficult, they will incur the condemnation of the countries which are signatories to the convention. It is hoped that it will not come to this and the dissenting countries, notably the United States, will accept the fact that with or without their participation, the Law of the Sea convention will be ratified.

CSO: 5200/4308

## MALAYSIA

### BRIEFS

LOS IMPLEMENTATION--Malaysia says the early implementation of the International Law of the Sea Treaty will enhance the security and economic wellbeing of island states. This will enable them to contribute positively to the economic development and security of the world. Its minister of foreign affairs, Tan Sri Ghazali Shafie, made the remark at the signing ceremony of the treaty in Montego Bay, Jamaica, today. He expressed regret that certain countries have decided not to be parties to the convention. They should reconsider their decision and view the treaty in its totality and not from a narrow viewpoint. [Excerpt] [BK100913 Kuala Lumpur International Service in English 0800 GMT 10 Dec 82]

CSO: 5200/4308

VIRATA URGES MARINE RESOURCES INVENTORY

HK180246 Manila BULLETIN TODAY in English 17 Dec 82 p 26

[Text] Prime Minister Cesar Virata the other day called for an inventory of the country's marine resources that fall within the Philippine Sea Territory that will be defined under the newly-signed United Nations Law of the Sea Convention.

Virata, assessing the new treaty that was signed by 119 countries, including the Philippines in Jamaica last week, said an inventory of the country's marine resources would be necessary to enhance the Philippines' negotiating position with countries which now have the technology to harness those resources.

He admitted that while economic benefits could accrue to the Philippines from the new treaty, the Philippines still does not have the technology to harness the mineral resources from under the seabed.

Such projects require huge capital outlay that only well-financed consortia of big foreign companies are capable of exploring the mineral wealth of the seabed. Virata said that some formula must be worked out by the Philippines with foreign investors who possess the technology and capital to explore the resources of the sea and a fair return on investment, similar to the one worked out for offshore exploration of oil and gas.

He said that the government must study whether it could extend the service contract concept to the possible exploitation of the sea resources.

In the inventory of marine resources, he added, it was necessary that some "strategic areas" be first identified so that steps could be taken to augment land resources with sea resources.

He also pointed to the need to re-define the Philippine "base-lines" as a result of the new Law of the Sea Convention.

The Philippines was one of the 119 countries which signed the Law of the Sea Convention in Jamaica last week--an agreement reached after nine years of negotiations among countries.

About 22 countries, including the United States which is regarded as the country possessing the capital and technology to mine the seabeds, refused to sign the agreement.

Other non-signatories were such advanced countries as West Germany, Japan, Italy and Belgium.

Virata referred to the problem of dealing with countries, which may have the technology and capital to exploit sea resources, but did not sign the agreement. "How do we deal with them?" he asked.

CSO: 5200/4313

TRAWLERS ATTACKED BY BURMESE PATROL BOAT

BK210200 Bangkok BANGKOK POST in English 21 Nov 82 p 1

[Text] A Thai trawler carrying a crew of 28 was seized by a Burmese patrol boat early yesterday morning after a chase near Koh Surin, 200 nautical miles south of Ranong Province in the Andaman Sea.

Another Thai trawler, one of 10 chased by the patrol boat, caught fire when it was shot at by the Burmese and some of those on board are believed to have been injured.

It is not known how many crewmen were on board.

The seized trawler was named as the Wanphen Mahachai-10 and the boat which caught fire as the Ranong-16.

The Samut Sakhon Fisheries Association's radio centre said it learned of the incident at 9 a.m. yesterday in a message from one of the 10 trawlers involved.

The centre said the message was sent by the Thida Nawin-2, which reported that it had been able to escape the Burmese boat in a fog bank.

The Thai boats were trawling about 170 nautical miles off the Burmese coast when the patrol boat began harassing them at about 6 a.m. yesterday, according to the crew of the Thida Nawin-2.

It said that after the attack on the Ranong-16, the patrol boat began chasing four other trawlers.

The Thida Nawin-2 and two other trawlers--the Lukchai Udomsap-14 and Cho Chaiwatcharoen--had to cut their nets before escaping, the centre said.

The whereabouts of the other trawlers is not known.

This is the second seizure of Thai fishing boats in less than a week. On November 14, seven trawlers were seized by four Vietnamese gunboats while they were fishing about 30 nautical miles south of Thon Island, in the South China Sea.

CSO: 5200/4312

THAILAND

DELEGATION TO SIGN LAW OF SEA TREATY IN JAMAICA

BK050718 Bangkok Domestic Service in English 0000 GMT 5 Dec 82

[Text] A Thai delegation will leave Bangkok this coming Monday for a 5-day visit to Jamaica to sign the new international Law of the Sea Treaty in Kingston. Leading the delegation by order of the cabinet will be Deputy Foreign Minister Arun Phanuphong.

The new treaty will cover jurisdiction of ocean resources, international navigation through straits, exclusive economic zones and continental shelves. The law also deals with the revolutionary concept that nonliving resources are a common heritage of mankind.

Thailand is expected to claim an exclusive economic zone of about 48,000 square nautical miles if the new concept is implemented.

CSO: 5200/4312

## BAHAMAS

### BRIEFS

LAW OF SEA CONVENTION SIGNATURE--The Bahamas is today signing a convention of great importance. The Honorable Paul Adderley, minister of external affairs, will on behalf of our country sign the UN Law of the Sea Convention. The convention is viewed as having the necessary machinery to avoid international conflicts over the ocean. The agreement reached after more than 8 years of negotiations hopes to regulate the exploitation of the seabed. The United States, Britain and a few other major industrial countries said they will not sign that convention. [Text] [FL101415 Nassau Domestic Service in English 1300 GMT 10 Dec 82]

CSO: 5200/2006



## REPORTAGE ON LOS CONFERENCE

## Western Nations' Stand Scored

FL081355 Havana Domestic Service in Spanish 1200 GMT 8 Dec 82

[Text] The law of the sea convention has a high historic significance, only comparable to the creation itself of the United Nations, and constitutes a valuable contribution to the preservation of world peace, Cuban Vice Foreign Minister Pelegrin Torras, who heads our country's delegation to the third conference on that important topical subject, has stated.

Torras criticized the stand of some superpowers which attempt to ignore the current legal norms governing the use and exploitation of ocean resources. The Cuban vice minister recalled that this is the same position adopted by some developed countries in the Western world, bringing to a halt the so-called North-South negotiations for a new international economic order.

## Minister Discusses Ratification of Treaty

FL101323 Havana Domestic Service in Spanish 1200 GMT 10 Dec 82

[Text] Cuba is confident that sooner or later the developed countries--which today disparage the law of the sea treaty--will join the overwhelming majority of the international community and ratify it. This statement was made by Cuban Vice Foreign Minister Pelegrin Torras during a press conference in Montego Bay, Jamaica, the site for the UN meeting that examined the subject.

The Cuban leader noted that the already guaranteed ratification by more than 100 countries on the eve of the final ceremony will prompt UN Secretary General Javier Perez de Cuellar to convoke the creation of the preparatory committee and the international tribunal on the law of the sea prior to next March.

Finally, Torras indicated that Cuba supports the Convention of the Law of the Sea in solidarity with countries of the Third World, which have been waging a protracted struggle for the delimitation of territorial waters and, in addition, because the treaty represents an important instrument in maintaining world peace.

Commentary Scores U.S. Stance

PA180350 Havana International Service in Spanish 0000 GMT 16 Dec 82

["World Events" commentary read by Angel Hernandez]

[Text] Barefaced as it was, the refusal of the United States and other Western powers to sign the UN Law of the Sea Convention did not shock the media representatives who attended the solemn ceremony held in Montego Bay, Jamaica.

It is almost inconceivable that Washington and several of its allies should have shown so little political sense by opposing a decision that received the support of 119 countries, including several developed capitalist nations such as Denmark, France and Canada.

The preparatory commission of the international authority that will regulate the exploitation of maritime resources will begin its work in March. According to the long debates on the subject, this authority will oversee a rational use of the huge resources of the seas and ensure an equitable distribution of benefits obtained from it. That is why many analysts regard the approval of the convention on maritime rights as a resounding victory for the underdeveloped nations, which received full support from the socialist community, which is interested in achieving justice in international relations.

The same sources noted also that the meeting at Montego Bay resulted in a significant setback for the divisionist policy of the United States, which has tried at all costs to defend the so-called free enterprise that would allow it to do as it pleases in the oceans. In fact, at the meeting on the law of the sea that preceded the conclave in Jamaica, U.S. Delegate (James Malone) energetically asserted that private enterprises cannot be restrained by an international decision involving the possibility that other nations that do not have adequate technology would insist on extracting from the seabed resources that are indispensable for their economic development.

Although it is true that the exploitation of minerals in the seabeds demands an average initial investment of \$1 billion as well as high technology, the international agreement stipulates that such expenses will be covered with multilateral financing based on the amount of each country's contribution to the United Nations, with an accordingly equitable distribution of benefits.

Despite the intensive work done by the international community in favor of establishing a legal system for the utilization of maritime resources, the White House authorized the transnational enterprises last year to begin exploitation activities in the Pacific and establish a system to safeguard the rights allegedly acquired by the mentioned consortiums of international organizations set up--as they did--regulations on the subject.

The injection of 23 billion tons of minerals that are believed to lie on the seabeds to fuel capitalism's squandering would undoubtedly be fabulous business for the tycoons, who enjoy all comforts while 14 million U.S. citizens are jobless. However, humankind is already aware of the intentions of

the old imperialist wolf, and the wolf's gnashing teeth often crash against the rock of international will, which is bent on establishing a world of justice and peace.

CSO: 5200/2007

SENEGALESE-CANADIAN PROGRAM FOR FISHING SURVEILLANCE

Dakar LE SOLEIL in French 25 Nov 82 p 4

[Article by Abdallah Faye: "Protection and Surveillance of Fisheries: Aircraft to Protect Exclusive Maritime Zone"]

[Excerpts] The integrated project on "Protection and Surveillance of Fisheries," co-financed by Senegal and Canada, will begin in an effective way at the very beginning of next year.

At present the three aspects which make up the program are at different levels of implementation, but even so they are moving forward in a satisfactory way in order to allow the technicians to begin to work effectively at the beginning of 1983.

The first surveillance aircraft manufactured in Canada for the project will be received before the end of the year, and Air Force pilots are presently in training on this type of aircraft and for this kind of work.

At the computer center of the Thiaroye Oceanographic Research Center (CROT) the peripheral buffers of the computer will soon be completed, while the scientific resources available to the CROT will be strengthened.

Orders for equipment have been placed in Canada, and the directors of the project are waiting for the imminent arrival of the first shipments.

Finally, part of the team of Canadian experts is now on hand. The project in itself is an original one, because it rests on three aspects to be carried out by three different ministries.

Thus, the Secretariat of State for Maritime Fisheries, through the Directorate of Fisheries, is responsible for the administrative aspect, which is the heart of the project, while the scientific aspect has been turned over to the Secretariat of State for Scientific and Technical Research, through the CROT. The third and operational aspect has been turned over to the Ministry of the Armed Forces, with the participation of the Air Force.

Dr Toure, in charge of the project in the Directorate of Fisheries, explains that, "rarely does a project depend on so many ministries. This is what makes the project so interesting." Through the scientific aspect the

integrated project seeks to make a census of the fishing resources of Senegal, in order to make "the most exact evaluation possible," he emphasizes, of existing fishing resources and thus to propose programs for their rational exploitation. The data obtained will be fed into the CROT computer in order to permit their use in the framework of the administrative aspect, which involves the development program.

In fact it is this administrative aspect which will result in a development plan for fishing resources in our country, through the establishment of a carefully-considered system of regulation, based on the most reliable scientific knowledge.

In this way fishing licenses will be issued by the government in terms of what we have in the way of resources.

Through this key aspect action will also be taken to determine the levels of exploitation of the fishing resources by defining quotas for capturing all species of fish, particularly those species which are more abundant.

In return the administrative aspect will be the point where plans are made for the seizure of fishing boats found in violation of the regulations in our waters.

The final aspect, which is concerned with operations, is the strong arm of the whole structure. The Air Force will have aircraft (initially a "Twin Otter") to provide air cover which will complement the activity of naval units used by the Senegalese Navy in the surveillance of the fisheries.

As we have seen, the project involves three aspects which will be effectively linked by a network of administrative information and communications. In fact, each time that the surveillance aircraft takes off it will automatically be in contact with the "Command Post" of the project and with the Navy.

In this way, as information comes down to the ground regarding the boat that is violating the regulations, the data will be analyzed very quickly to allow for rapid action, supported by the patrol craft of the Senegalese Navy.

Over the long term, although the project is ambitious, it will allow us to protect our fishing resources against the planned plundering activities carried out on our Atlantic coast by foreign fishing boats. For it is of no use to have resources if you cannot protect them, both against foreign boats as well as against domestic fishing boats which excel in breaking the regulations when that is convenient to them.

The system of protection will include the economic exclusive zones of 200 miles from our coasts, in order to prevent unauthorized boats from fishing there.

The effort seems to be a daring one, in the sense that it will be necessary to keep watch over 700 kilometers of coastline, multiplied by a distance of 300 kilometers out to sea. This constitutes an ocean territory about equal to the total land area of the country!

As fish are little by little taking the place of peanuts as a crop in our country, our hopes should not be quickly disappointed. This has made Senegal take action in time, thanks to Canada, which has provided us with assistance ammounting to CFA F 2.2 million to carry out properly a project which is so close to our hearts.

5170

CSO: 5200/10

NEW DEAL TO RESTORE FISH RESOURCES REPORTED

Johannesburg THE CITIZEN in English 8 Dec 82 p 12

[Text]

**CAPE TOWN. —** A "new deal" aimed at restoring the pilchard resource off the coast of South Africa and SWA has been announced by the Deputy Minister of Fisheries and Environmental Conservation, Mr John Wiley.

In a statement issued in Cape Town last night, he also announced adjustments in the stockfish and sole quotas and warned about sterner measures to be taken against malpractices.

The new deal on fish quotas had been agreed to by the industry, Mr Wiley said.

In essence it amounts to a splitting of the fishing season into two, to allow time for fish to mature sexually and to apply the quota to pilchards and anchovies only. Other fish would then be caught without restriction, barring the announced closure of the fishing season.

Mr Wiley said the pilchard resource had "collapsed".

The West Coast pilchard catch had, over the past ten years, been diminishing, while the anchovy catch increased.

There was good reason

to believe that although sufficient numbers of young fish were left in shoals to reproduce, 95 percent of anchovies caught in autumn and winter were not sexually mature and weighed about a third of what they would if caught in summer.

Although the current quota of 380 000 tons had been virtually unchanged since instituted, and although he shared the anxiety of his departmental scientists who wanted to cut the quota to 325 000 tons, Mr Wiley said he did not believe the problem of "safe exploitation" of the resource would be solved by a drastic quota cut.

Mr Wiley said that the end of the first 1983 catching season would be announced once half the anchovy/pilchard quota had been caught and other catches carefully monitored.

"In practice this means that threatened resources will be given about six months to increase in size and to reproduce and that fishermen would have to wait for the end of 1983 to be paid for their second season catches," he said.

PREMIER COMMENTS ON FISHING DISPUTE WITH UNITED KINGDOM

PM251349 Copenhagen BERLINGSKE TIDENDE in Danish 23 Nov 82 (Financial Supplement) p 2

[Dispatch by Nils Eric Boesgaard: "Schleuter in Downing Street"]

[Text] London--"I cannot imagine that 1 January will come and go without our succeeding in finding a solution to the fisheries problems," Prime Minister Poul Schleuter said at a press conference at the Danish Embassy in London. Schleuter was in London at the invitation of the British prime minister, and yesterday evening was Mrs Thatcher's guest at a working dinner at 10 Downing Street.

During the press conference British journalists launched a tough attack on the prime minister. The questions dealt almost exclusively with Denmark's rejection of the new EEC fisheries arrangements, which has caused much anger in Britain, where there is open talk of a new cod war and of mobilizing the fleet against Danish fishermen.

Poul Schleuter gave a detailed explanation of the Danish position and showed graphics, made by the prime minister himself, on some orange-colored cardboard. It showed Denmark's, Britain's and the other EEC nations' shares of annual catches in the North Sea. "I am willing to accept that the largest share should go to Britain, but it cannot be intended that all the additional fish which the British have been allowed should be taken from us," he said.

When asked whether he would encourage Danish fishermen to ignore British fishing regulations, the prime minister replied, "no!" but at the same time he warned the British that Denmark was prepared to go to the EEC court. According to the Treaty of Rome, members have free access to each other's fishing waters--and it would be unpleasant for the British if the arrest and sentencing of Danish fishing boats were to be quashed by the EEC court, he said.

CSO: 5200/2511



NORWEGIAN POLICIES AROUND SVALBARD, IN NORTH SEA ANGER DANES

Oslo AFTENPOSTEN in Norwegian 1 Dec 82 p 11

[Article by Alf G. Andersen]

[Text] Norway is conducting a selfish national fishing policy not only around Svalbard and in the North Sea, but also north of the 62nd parallel. Anger at Norway is increasing in Denmark. This was clearly shown in an opinion poll taken by the Fridtjof Nansen Foundation. The same sentiment was expressed toward Norway's energy policies.

The head of the institute, Willy Ostreng, who took the survey in countries that border on the Norwegian ocean zones, told AFTENPOSTEN that the Danes have a particularly negative opinion of Norwegian fishing policies. Ostreng questioned representatives of business organizations, administration, the press, and broadcasting. Up to now, these opinions among Danes have been latent, but according to all indications it now would take little to bring these feelings to the surface.

Ostreng was asked why the Danes felt this way.

"First of all, the international law of the sea has been unfavorable to Denmark in many areas, while Norway has profited most from the international agreements. Denmark also has had disputes with other EC countries and has lost the right to fish in large ocean areas. The Danes are unhappy because these losses have not been compensated by offers of increased fishing possibilities in Norwegian waters north of the 62nd parallel. Because of this, Danish fishing has been reduced considerably."

One reason for Denmark's dissatisfaction with Norway is that the Danes are prohibited from fishing the protected waters around Svalbard. The Danes claim that these waters are "nondiscriminating" and that they should be permitted to fish there.

"The idea of protected waters in this area is accepted only by Norway and Danish authorities do not feel obliged to accept the idea. As you know, this resulted in the "capelin war" in the Svalbard zone last fall," Ostreng said.

Ostreng was asked about Norway's chances of winning the "capelin case" if it

were brought before an international tribunal.

"Norway has a strong case. The establishment of protected waters is in line with international practice--and in line with the conventions of the most recent international law of the sea conference. Today an overwhelming majority of nations favor regulating fishing and preserving fish species. The Norwegian protected waters are part of such a fishing policy. But the protected waters were proclaimed by Norway and no other country has accepted Norway's decision. They merely have accepted the concept behind the proclamation."

The expression "imperialism at sea" is used more and more often by the Danish mass media in reference to Norway's fishing policies. Ostreng was asked if this expression were appropriate.

"It is incorrect to use this expression in its traditional meaning. In spite of everything, Norway has done nothing but follow the decisions of United Nations conferences in which most countries participated. Most countries believe that what Norway is doing is correct in principle. Imperialism is, for example, when rich countries help themselves at the expense of poor countries. The Danes, however, consider themselves extremely unfortunate when it comes to recent trends in the law of the sea. Denmark did not really profit from the 200-mile territorial limit, while Norway quadrupled its territories. In 1970 Denmark was one of the nine leading fishing nations in the world. The fishing industry was expanding and the country was extremely active in what now are Norwegian waters. The Danes also are extremely unhappy since they have lost the right to fish in expansive and well-stocked regions north of the 62nd parallel. Denmark believes that Norway should have given some compensation by granting Denmark the right to fish in these waters."

Ostreng said that the opinion poll also included energy questions. There also was strong opposition to Norway's energy policies, although it was milder than on the fishing issue. Opinions vary, however, on environmental policies, which also were included in the poll. In this case, most Danes approved of the Norwegian policies.

9386

CSO: 5200/2508

FEDERAL REPUBLIC OF GERMANY

BRIEFS

CABINET DISCUSSES SEA LAW--Bonn, 8 Dec--On Wednesday the Federal Cabinet agreed not to make a decision yet on the question of signing the law of the sea convention. The cabinet plans to deal with the matter again in a few months. A 2-year period has been set for signing the convention. Government spokesman Stolze reported after the cabinet meeting that objections to the planned management of the sea floor had been voiced in the discussion, as had reasons favoring signing the law of the sea convention. In its final decision the Federal Government intends to take into consideration the attitudes of the partner states which to date have not been determined. [Text]  
[DW291105 Frankfurt FRANKFURTER ALLGEMEINE in German 9 Dec 82 p 2]

CSO: 5200/2515

GREEK ATTEMPTS TO RESTRICT SEA ROUTES DENOUNCED

TA281615 Ankara ANATOLIA in English 1604 GMT 28 Dec 82

[Text] Ankara, Dec 28 (AA) -- The attempt by Greece to exclude some of the routes linking the Aegean to the Mediterranean from free transit passage is "arbitrary" and "in violation of the rules of international law and maritime law conventions."

Commenting on the Greek attempt to include the waterways between the Aegean Islands under the exceptions to the freedom of navigation through all straits, Akiman said the regulations on straits open to international navigation and the rights and functions of the coastal state were expressed in maritime law conventions. All waterways aside from the limited number of exceptions such as the Turkish Straits were subject to rules of free transit passage, he added.

In fact, the Foreign Ministry spokesman explained, in a declaration issued at the end of the sea law conference, Greece had tried to create a new category of waterway which it described as so-called "alternate straits" between islands forming an archipelago, and in this way to close some of the Aegean waterways leading to the Mediterranean to free transit passage. Greece's behavior was entirely arbitrary, and was not valid under the conference on the law of the sea or under international law.

During the recent conference on the law of the sea, Greece had unsuccessfully attempted, Akiman reminded, to extend the rules to be applied to states consisting entirely of an archipelago to the islands of mainland states. Now it was trying to go beyond the provisions of the convention, he added.

CSO: 5200/4702

'MILLIYET' WARNS ON LOS APPLICATIONS TO AEGEAN SEA

NC210945 Istanbul MILLIYET in Turkish 16 Dec 82 p 2

["Looking at the World" column by Sami Kohen: "Before the Storm Breaks Out"]

[Excerpts] A convention which may disturb Turkey in the future has definitely assumed its final form. The international Law of the Sea Convention and the final instrument attached to it has been signed by 119 countries soon after it was open to signature.

The section concerning the territorial waters undoubtedly concerns us. This section entitles countries to extend their territorial waters up to 12 miles. Turkey had objected to this right from the start of the conference, and had urged that seas like the semi-closed Aegean which has very special characteristics should not be subject to this general principle. This view has not been included in the convention and Turkey's efforts to include some reservations in the final instrument have been turned down. Consequently, Turkey signed neither the convention nor the final instrument. The reasons are obvious, and these reasons had been communicated to the countries concerned:

1. In the event that territorial waters in the Aegean Sea are extended to 12 miles, this sea will become a Greek lake. As can be clearly seen from the detailed maps published and distributed to the entire world, if this happens, Turkish ships entering Izmir will have to pass through "the Greek territorial waters." For Turkey, the Aegean will cease to be a sea that connects the Black Sea and the Sea of Marmara with the Mediterranean.
2. This situation will cause serious disadvantages for Turkey from a commercial, strategic and military point of view.
3. As soon as it extends its territorial waters to 12 miles in the Aegean, Greece will seek to adjust its airspace and continental shelf accordingly.
4. Such a practice in the Aegean will upset the balance and the status that has been maintained since the Lausanne treaty -- against the interests of Turkey. Undoubtedly, this is Athens' main objective.

As pointed out emphatically again by Foreign Minister Turkmen after the convention was open to signing, it is absolutely out of the question for Turkey to accept such an implementation as it may upset Turkey's interests in the Aegean. "This would be considered an action committed against our vital interests and appropriate action would need to be taken."

To put it more clearly, as also stressed before in official statements, this is "reason for war."

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In that case, what will Papandreou do? Will he take this warning seriously and abandon the decision he has taken unilaterally to extend his territorial waters to 12 miles? Or will he attempt to create a fait accompli on the strength of the argument that the convention has given him a new right?

It is observed that Athens for the time being is maintaining complete silence and that the Greek press refrains from uttering cries of triumph. One of the reasons for this may be the serious difficulties Papandreou has to confront at home. Another reason perhaps is that he has decided to "work silently and intensively" in order to win world opinion over to his side.

What is certain is that Greece will, in a wider time space, seek to evaluate this opportunity. That is why Turkey has to be vigilant in the months and years ahead and resort to all the "detering" means at its disposal before a new storm breaks out in the Aegean.

CSO: 5200/4700

GOVERNMENT STAND ON AEGEAN RIGHTS UNCHANGED

TA171553 Ankara ANATOLIA in English 1530 GMT 17 Dec 82

[Text] Ankara, Dec 17 (AA) -- Turkey maintains her views on rights in the Aegean Sea, Foreign Ministry spokesman Kaya Toperi said, and is determined to take any necessary measures in case "Greece attempts a fait-accompli intended to expand its area of sovereignty."

The spokesman noted in his weekly press conference Friday Turkey had not signed the final act of the international conference on the law of the sea, and preserved the views clearly expressed on May 23, 1982 by Foreign Minister Ilter Turkmen, who said: "Greece knows that the particular features of the Aegean and the balance of rights and interests between Turkey and Greece in the Aegean does not allow for any expansion of territorial waters beyond 6 miles. There should be no doubt about our stand on this point."

"Turkey is determined to take all necessary measures in case Greece attempts a fait-accompli intended to expand its area of sovereignty. Extension of territorial waters beyond 6 miles would upset the status quo, the balance of sovereignty and security in the Aegean. In that case, it would become inevitable to redefine all the elements of the status quo in the Aegean, and the responsibility would lie with Greece."

CSO: 5200/4700

PAPER: SCORES ROGERS' REMARKS ON AEGEAN ISSUES

NC210905 Istanbul HURRIYET in Turkish 18 Dec 82 p 3

[Editorial by Oktay Eksi: "General Rogers Is Responsible"]

[Text] One tends to say "No" to Honorable Gen Bernard Rogers who told journalists in Washington: "Neither Turkey nor Greece is responsible for the southeast region of NATO. The entire alliance is responsible for the region. The Turkish and Greek commanders should get together and reach agreement on the defense and control of this region in the event of war." The general went on to say that "if they do not do this in peacetime, defending the area would be extremely difficult during the war." It is not enough to say this.

What is more, he has no right to wash his hands of this situation by further saying: "The administrators of both countries are aware of the need to cooperate on the question of the control command region. We have had lengthy talks with them in this respect. The independence of any region during the war is out of the question. The Aegean airspace is a national airspace and it will be protected by the members of the alliance."

You might ask: "Why has he no right to talk like this?"

Because both the "airspace" in the Aegean and the militarization of Limnos and the other Aegean islands are old problems with which General Rogers is fully familiar. Let us leave aside the question of the militarization of Limnos and the other Aegean islands. Our successive governments had sufficed by merely protesting against the militarization of these islands contrary to the 1923 Lausanne treaty and the 1947 Paris treaty, and we are now suffering the penalty for this negligence. But the question of the "control command area" in the Aegean, that is, how much of the Aegean Sea will be Turkey's responsibility and how much will be Greece's responsibility directly concerns General Rogers.

The reason is that when Greece abandoned NATO's military wing in 1974, Turkey persistently argued that "this matter must be subjected to new rules. It is obvious that the old practice which left the Aegean completely under Greece's command is objectionable and unjust." As a matter of fact, this was a disputed issue.

In fact, Turkey had argued for a long time that it would object to Greece's return to NATO before the "Aegean control command issue was resolved." But as a result of U.S. pressure and Gen Rogers' promise saying "agree to Greece's return to NATO for the time being and I shall secure the settlement of this issue through negotiations," Turkey abandoned its resistance and Greece was again accepted into the military wing of NATO.

The interesting aspect of this matter is that former Foreign Minister Hasan Esat Isik had almost presented today's tableau by making this statement (see CUMHURİYET 23.10.1980): "The Turkish Government has taken a courageous decision on the assumption that Greece will act reasonably in the future. We have got to be extremely careful with NATO's military planning and decisions so that this decision does not damage our rights



and responsibilities in the Aegean. We observed in the past that the NATO military headquarters could take decisions which would enable Greece to create faits accomplis against Turkey in the Aegean."

General Rogers should not forget that he is responsible for fulfilling his pledges, not for issuing advice.

CSO: 5200/4700

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